

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

PEDRO WILLIAM BACA,

Petitioner,

No. CIV S-05-0506 DFL KJM P

VS.

A.K. SCRIBNER, Warden, et al.,

## Respondents.

## ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has paid the filing fee.

Because petitioner may be entitled to the requested relief if the claimed violation of constitutional rights is proved, respondents will be directed to file a response to petitioner's application.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Respondents are directed to file a response within sixty days from the date of this order. See Rule 4, Rules Governing Section 2254 Cases.

2. If the response to the habeas petition is an answer, petitioner's reply, if any, shall be filed and served within thirty days after service of the answer. Respondents shall include

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with an answer any and all transcripts or other documents relevant to the determination of the issues presented in the application. Rule 5, Rules Governing Section 2254 Cases.

3. If the response to the habeas petition is a motion, petitioner's opposition or statement of non-opposition to the motion shall be filed and served within thirty days after service of the motion, and respondents' reply, if any, shall be filed and served within fifteen days thereafter.

4. The Clerk of the Court shall serve a copy of this order together with a copy of petitioner's application for writ of habeas corpus on Jo Graves, Senior Assistant Attorney General.

DATED: December 5, 2005.



UNITED STATES MAGISTRATE JUDGE

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